

112TH CONGRESS  
1ST SESSION

# S. 762

To improve the Federal Acquisition Institute.

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## IN THE SENATE OF THE UNITED STATES

APRIL 7 (legislative day, APRIL 5), 2011

Ms. COLLINS (for herself, Mr. AKAKA, Mrs. MCCASKILL, and Mr. BROWN of Massachusetts) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To improve the Federal Acquisition Institute.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Federal Acquisition  
5       Institute Improvement Act of 2011”.

6       **SEC. 2. ACQUISITION WORKFORCE IMPROVEMENTS.**

7       (a) WORKFORCE IMPROVEMENTS.—Section 1704(b)  
8       of title 41, United States Code, is amended—

9               (1) by inserting after the first sentence the fol-  
10       lowing: “The Associate Administrator shall be cho-  
11       sen on the basis of demonstrated knowledge and ex-

1       pertise in acquisition, human capital, and manage-  
2       ment.”;

3               (2) by striking “The Associate Administrator  
4       for Acquisition Workforce Programs shall be located  
5       in the Federal Acquisition Institute (or its suc-  
6       cessor).” and inserting “The Associate Adminis-  
7       trator shall be located in the Office of Federal Pro-  
8       curement Policy.”;

9               (3) in paragraph (4), by striking “; and” and  
10       inserting a semicolon;

11              (4) by redesignating paragraph (5) as para-  
12       graph (6); and

13              (5) by inserting after paragraph (4) the fol-  
14       lowing new paragraph:

15              “(5) implementing workforce programs under  
16       subsections (f) through (k) of section 1703 of this  
17       title; and”.

18       (b) FEDERAL ACQUISITION INSTITUTE.—

19              (1) IN GENERAL.—Division B of title 41,  
20       United States Code, is amended by inserting after  
21       chapter 11 the following new chapter:

22       **“CHAPTER 12—FEDERAL ACQUISITION**  
23       **INSTITUTE**

“Sec.

“1201. Federal Acquisition Institute.

1 **“§ 1201. Federal Acquisition Institute**

2 “(a) IN GENERAL.—There is established a Federal  
3 Acquisition Institute (FAI) in order to—

4 “(1) foster and promote the development of a  
5 professional acquisition workforce Government-wide;

6 “(2) promote and coordinate Government-wide  
7 research and studies to improve the procurement  
8 process and the laws, policies, methods, regulations,  
9 procedures, and forms relating to acquisition by the  
10 executive agencies;

11 “(3) collect data and analyze acquisition work-  
12 force data from the Office of Personnel Manage-  
13 ment, the heads of executive agencies, and, through  
14 periodic surveys, from individual employees;

15 “(4) periodically analyze acquisition career  
16 fields to identify critical competencies, duties, tasks,  
17 and related academic prerequisites, skills, and  
18 knowledge;

19 “(5) coordinate and assist agencies in identi-  
20 fying and recruiting highly qualified candidates for  
21 acquisition fields;

22 “(6) develop instructional materials for acquisi-  
23 tion personnel in coordination with private and pub-  
24 lic acquisition colleges and training facilities;

1           “(7) evaluate the effectiveness of training and  
2           career development programs for acquisition per-  
3           sonnel;

4           “(8) promote the establishment and utilization  
5           of academic programs by colleges and universities in  
6           acquisition fields;

7           “(9) facilitate, to the extent requested by agen-  
8           cies, interagency intern and training programs;

9           “(10) collaborate with other civilian agency ac-  
10          quisition training programs to leverage training sup-  
11          porting all members of the civilian agency acquisi-  
12          tion workforce;

13          “(11) assist civilian agencies with their acquisi-  
14          tion human capital planning efforts; and

15          “(12) perform other career management or re-  
16          search functions as directed by the Administrator.

17          “(b) BUDGET RESOURCES AND AUTHORITY.—

18                 “(1) IN GENERAL.—The Administrator for Fed-  
19          eral Procurement Policy shall recommend to the Ad-  
20          ministrator of the General Services Administration  
21          sufficient budget resources and authority for the  
22          Federal Acquisition Institute to support Govern-  
23          ment-wide training standards and certification re-  
24          quirements necessary to enhance the mobility and

1 career opportunities of the Federal acquisition work-  
2 force.

3 “(2) ACQUISITION WORKFORCE TRAINING  
4 FUND.—Subject to the availability of funds, the Ad-  
5 minister of General Services shall provide the Fed-  
6 eral Acquisition Institute with amounts from the ac-  
7 quisition workforce training fund established under  
8 section 1703(i) of this title sufficient to meet the an-  
9 nual budget for the Federal Acquisition Institute re-  
10 quested by the Administrator for Federal Procure-  
11 ment Policy.

12 “(c) FEDERAL ACQUISITION INSTITUTE BOARD OF  
13 DIRECTORS.—

14 “(1) REPORTING TO ADMINISTRATOR.—The  
15 Federal Acquisition Institute shall report through its  
16 Board of Directors directly to the Administrator for  
17 Federal Procurement Policy.

18 “(2) COMPOSITION.—The Board shall be com-  
19 posed of not more than 8 individuals from the Fed-  
20 eral Government representing a mix of acquisition  
21 functional areas, all of whom shall be appointed by  
22 the Administrator.

23 “(3) DUTIES.—The Board shall provide general  
24 direction to the Federal Acquisition Institute to en-  
25 sure that the Institute—

1                   “(A) meets its statutory requirements;

2                   “(B) meets the needs of the Federal acqui-  
3 sition workforce;

4                   “(C) implements appropriate programs;

5                   “(D) coordinates with appropriate organi-  
6 zations and groups that have an impact on the  
7 Federal acquisition workforce;

8                   “(E) develops and implements plans to  
9 meet future challenges of the Federal acquisi-  
10 tion workforce; and

11                   “(F) works closely with the Defense Acqui-  
12 sition University.

13                   “(4) RECOMMENDATIONS.—The Board shall  
14 make recommendations to the Administrator regard-  
15 ing the development and execution of the annual  
16 budget of the Federal Acquisition Institute.

17                   “(d) DIRECTOR.—The Director of the Federal Acqui-  
18 sition Institute shall be appointed by, and report directly  
19 to, the Administrator.

20                   “(e) ANNUAL REPORT.—The Administrator shall  
21 submit to the Committee on Homeland Security and Gov-  
22 ernmental Affairs and the Committee on Appropriations  
23 of the Senate and the Committee on Oversight and Gov-  
24 ernment Reform and the Committee on Appropriations of  
25 the House of Representatives an annual report on the pro-

1 jected budget needs and expense plans of the Federal Ac-  
2 quisition Institute to fulfill its mandate.”.

3           (2) CONFORMING AMENDMENT.—Section  
4       1122(a)(5) of such title is amended to read as fol-  
5       lows:

6           “(5) providing for and directing the activities of  
7       the Federal Acquisition Institute established under  
8       section 1201 of this title, including recommending to  
9       the Administrator of General Services a sufficient  
10      budget for such activities.”.

11      (c) GOVERNMENT-WIDE TRAINING STANDARDS AND  
12      CERTIFICATION.—Section 1703 of title 41, United States  
13      Code, is amended—

14           (1) in subsection (c)(2)—

15           (A) by striking “The Administrator shall”  
16           and inserting the following:

17           “(A) IN GENERAL.—The Administrator  
18           shall”; and

19           (B) by adding at the end the following:

20           “(B) GOVERNMENT-WIDE TRAINING  
21           STANDARDS AND CERTIFICATION.—The Admin-  
22           istrator, acting through the Federal Acquisition  
23           Institute, shall provide and update Government-  
24           wide training standards and certification re-  
25           quirements, including—

1 “(i) developing and modifying acquisi-  
2 tion certification programs;

3 “(ii) ensuring quality assurance for  
4 agency implementation of Government-  
5 wide training and certification standards;

6 “(iii) analyzing the acquisition train-  
7 ing curriculum to ascertain if all certifi-  
8 cation competencies are covered or if ad-  
9 justments are necessary;

10 “(iv) developing career path informa-  
11 tion for certified professionals to encourage  
12 retention in Government positions;

13 “(v) coordinating with the Office of  
14 Personnel Management for human capital  
15 efforts; and

16 “(vi) managing rotation assignments  
17 to support opportunities to apply skills in-  
18 cluded in certification.”; and

19 (2) by adding at the end the following new sub-  
20 section:

21 “(1) ACQUISITION INTERNSHIP AND TRAINING PRO-  
22 GRAMS.—All Federal civilian agency acquisition internship  
23 or acquisition training programs shall follow guidelines  
24 provided by the Office of Federal Procurement Policy to  
25 ensure consistent training standards necessary to develop

1 uniform core competencies throughout the Federal Gov-  
2 ernment.”.

3 (d) EXPANDED SCOPE OF ACQUISITION WORKFORCE  
4 TRAINING FUND.—Section 1703(i) of such title is amend-  
5 ed—

6 (1) in paragraph (2), by striking “to support  
7 the training of the acquisition workforce of the execu-  
8 tive agencies” and inserting “to support the activi-  
9 ties set forth in section 1201(a) of this title”; and

10 (2) in paragraph (6), by striking “ensure that  
11 amounts collected for training under this subsection  
12 are not used for a purpose other than the purpose  
13 specified in paragraph (2)” and inserting “ensure  
14 that amounts collected under this section are not  
15 used for a purpose other than the activities set forth  
16 in section 1201(a) of this title”.

17 (e) RULE OF CONSTRUCTION.—Nothing in this sec-  
18 tion, or the amendments made by this section, shall be  
19 construed to preclude the Secretary of Defense from es-  
20 tablishing acquisition workforce policies, procedures,  
21 training standards, and certification requirements for ac-  
22 quisition positions in the Department of Defense, as pro-  
23 vided in chapter 87 of title 10, United States Code.

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